

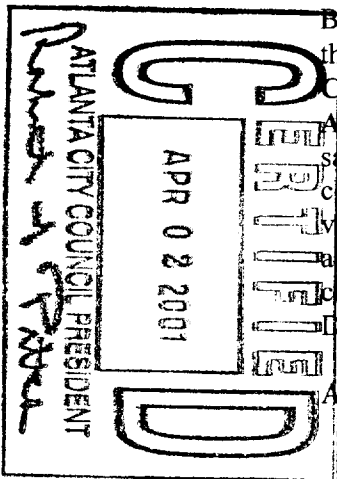
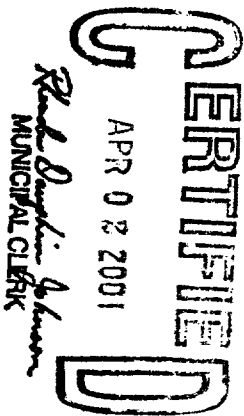
Entered - 02/09/01 - sb
CL01L0102 - DIANNE C. MITCHELL

01-*R*-0501

CLAIM OF: **USAA CASUALTY INSURANCE COMPANY**
AS SUBROGEE OF ARTHUR T. HUNTLEY
P. O. Box 31643
Tampa, Florida 33631-3643

For damages alleged to have been sustained as a result of a vehicular accident on September 5, 2000 at Peachtree Street and 6th Street.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:



BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **USAA CASUALTY INSURANCE COMPANY AS SUBROGEE OF ARTHUR T. HUNTLEY** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on September 5, 2000 at Peachtree Street and 6th Street as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FILED REPO

C.C. *P. S. h. A.*

DATE *3/27/01*
Voted *C. La. Harrison*

Sherry Jones
Michael Smith

James
C. W. Y.

ADOPTED BY

APR 02 2001

COUNCIL

APPROVED

APR 11 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0501

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **USAA Casualty Insurance Company as subrogee of Arthur T. Huntley** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on September 5, 2000 at Peachtree Street and 6th Street** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

APR 02, 2001

APR 11, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0102

Date: March 6, 2001

Claimant /Victim USAA CASUALTY INSURANCE COMPANY AS
SUBROGEE OF ARTHUR T. HUNTLEY, JR.

Address: P. O. Box 31643, Tampa, Florida 33631-3643

Subrogation: X Claim for Property damage \$ 2,389.09 Bodily Injury \$ _____

Date of Notice: 09/18/00 Method: Written, proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/05/00 Place: Peachtree Street and 6th Street

Department: Police Division: _____

Employee involved Dwayne R. Sutton Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle failed to yield right-of-way and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

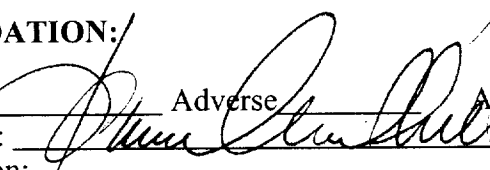
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 2,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 03 06 01

Committee Action: _____ Council Action _____



USAA CASUALTY INSURANCE COMPANY
P.O. Box 31643, Tampa, FL 33631-3643

MITCHELL
02/08/01
[Signature]

CITY OF ATLANTA MUNC CLERK
55 TRINITY AVE SW
ATLANTA, GA 30335
ATTN: LAW DEPT

ENTERED - 2-9-01 - SB
01L0102 - DIANNE MITCHELL

September 21, 2000

Policyholder: Arthur T. Huntley
Reference Number: 8516768-7103-2-2842
Date Of Loss: September 5, 2000
Loss Location: Atlanta, Georgia
USAA Tax ID Number: 74-0959140
Your Policyholder: dwayne sutton
Your Reference Number: unk

Dear Sir:

Our investigation reveals that your insured is responsible for damages sustained in this loss.

This is to notify you of our subrogation interests and to request that you not make any settlements on this claim without protecting our recovery rights.

Our claim payments are documented below:

Collision Amount Paid	\$	1,389.09
Insured's Deductible	\$	1,000.00
Total Subrogation Demand	\$	2,389.09

Please forward your check for the above amount payable to USAA as subrogee of our policyholder. Also, please show the reference number above on your check.

Remit Payment To: USAA
ATTN: Insurance Claims
P.O. Box 31643
Tampa, FL 33631-3643

Your prompt payment is appreciated.

If you wish to discuss this matter, please contact me.

Sincerely,

Christina Ospina

Christina Marie Ospina
Senior Customer Account Professional
USAA Southeast Regional Office
Phone: 1-800-531-8222, Ext.43182
Fax Phone: 1-800-541-7958

Encl: BR env, Support Docs

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0102

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND NO/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to Dwayne R. Sutton, from any and
all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for
or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident

which occurred on or about the 5th day of September, 2000,

at or near Peachtree Street and 6th Street

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

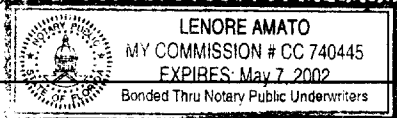
And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this 2nd day of March, 2001.

FOR DAVE HUFFMAN Mgr.

By [Signature] (LS)
USAA CASUALTY INSURANCE COMPANY
AS SUBROGEE OF ARTHUR T. HUNTLEY
8516768-2-2842 586

The above release was read and explained to, and signed by the said Karl Pecnik



in our presence on the date above written.

[Signature: Lenore Amato]

Witnesses

01-R-0501

RCS# 2775
4/02/01
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 13

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Unanimous

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0345
01-O-0526
01-R-0541

CONSENT

04/02/01 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-0225
2. 01-O-0534
3. 01-O-0528
4. 01-O-0539
5. 01-O-0530
6. 01-O-0531
7. 01-R-0527
8. 99-R-2071
9. 01-R-0368
10. 01-R-0481
11. 01-R-0536
12. 01-R-0537
13. 01-R-0550
14. 01-R-0484
15. 01-R-0485
16. 01-R-0486
17. 01-R-0487
18. 01-R-0293
19. 01-R-0425
20. 01-R-0457
21. 01-R-0418
22. 01-R-0483
23. 01-R-0549
24. 01-R-0500
25. 01-R-0501
26. 01-R-0502
27. 01-R-0503
28. 01-R-0504
29. 01-R-0505
30. 01-R-0506
31. 01-R-0507
32. 01-R-0508

**ITEMS ADVERSED
ON CONSENT AGENDA**

33. 01-R-0509
 34. 01-R-0510
 35. 01-R-0511
 36. 01-R-0512
 37. 01-R-0513
 38. 01-R-0514
 39. 01-R-0515
 40. 01-R-0516
 41. 01-R-0517
 42. 01-R-0518
 43. 01-R-0519
 44. 01-R-0520
 45. 01-R-0521
 46. 00-R-1361
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